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2003

612.41024X00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: KOHLER et al
Serial No.: 10/030,222
Filed: January 8, 2002
For: System And Method Intended For Thermal Insulation
Of A Pipe With Vegetable Foam
Art Unit: 1772
Examiner: Jane Rhee

FAX RECEIVED
JUN 17 2003
GROUP 1700RESPONSE

Mail Stop: (Non-Fee) Amendment
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

June 16, 2003

Sir:

This is in response to the Office Action mailed May 15, 2003, in connection with the above-identified application.

In response to the restriction requirement in the outstanding office action, applicants elect the invention of Group I, i.e., claims 1 - 11, drawn to a method intended for thermal insulation and to an installation.

Applicants traverse the restriction requirement, however, and submit that the inventions of Groups I, II and III relate to a single general inventive concept under PCT Rule 13.1. In particular, applicants traverse the allegation by the Examiner that the inventions lack the same or corresponding technical features.

In support of the allegation that the inventions lack the same or corresponding special technical features, the Examiner alleges that Groups I and III lack "the non-gelatinized starch." However, the method of claims 1 - 6 and the installation of

claims 7 - 11 use vegetable foam particles. As set forth in claims 6 and 10, the vegetable foam particles may comprise at least a flour and/or a non-gelatinized starch, a plasticizer and possibly one or more additives, the water content being below 10% and preferably below 5%. Thus, the vegetable foam particles of the method and installation of Group I can comprise a non-gelatinized starch. Similarly, the process for preparing a vegetable foam of Group III includes mixing a flour and/or starch with one or more plasticizers, and possibly one or more additives. Thus, the inventions of Groups I and III may contain a starch, e.g., a non-gelatinized starch. The Examiner apparently presumes the invention of Group II to require a non-gelatinized starch. However, claim 12 indicates that the foam can consist of a flour and/or at least a non-gelatinized starch. Thus, the foam of Group II, like the inventions of Groups I and III, do not require a non-gelatinized starch.

For the foregoing reasons, the inventions of Groups I, II and III relate to a single general inventive concept. Therefore, reconsideration and withdrawal of the restriction requirement are requested.

To the extent necessary, applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in the fees due in connection with the filing of this paper, including extension of time fees, to the deposit account of Antonelli, Terry, Stout & Kraus, LLP, Deposit Account No. 01-2135 (Case: 612.41024X00), and please credit any excess fees to such deposit account.

Respectfully submitted,

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